

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ALEJANDRO TARIN,

Plaintiff,

v.

Case No. 04-cv-544-JPG

UNITED STATES and BUREAU OF
CUSTOMS AND IMMIGRATION
ENFORCEMENT,

Defendants.

MEMORANDUM AND ORDER

This matter comes before the Court on petitioner Alejandro Tarin's motion to voluntarily dismiss this case (Doc. 34), which the Court construes as a motion pursuant to Federal Rule of Civil Procedure 41(a)(2). Rule 41(a)(2) provides that only the Court may dismiss an action after an adverse party has filed an answer or motion for summary judgment and in the absence of a stipulation of dismissal of an entire case from all the parties. The Court hereby **GRANTS** the motion (Doc. 34), **DISMISSES** this case **without prejudice** and **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.

DATED: May 8, 2008

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE